

DECISION

**THE COMPTROLLER GENERAL
OF THE UNITED STATES**
WASHINGTON, D.C. 20548

*Proc I**10, 152
542*

FILE: B-194186

DATE: June 21, 1979

MATTER OF: Ohio Transmission and Pipe Company

*DLG 01893***DIGEST:**

Protest that awardee will not be able to provide required parts because it has never been distributor of such parts is matter of contract administration for resolution by contracting agency and, therefore, is dismissed.

Ohio Transmission and Pipe Company (OT&P) has protested the award of a contract for Worthington rotor assemblies to Eur-Pac Corporation (Eur-Pac) under invitation for bids (IFB) No. DLA700-79-R-0141, issued by the Defense Construction Supply Center, Columbus, Ohio (DCSC). *DLG 01894*
AGC 00385

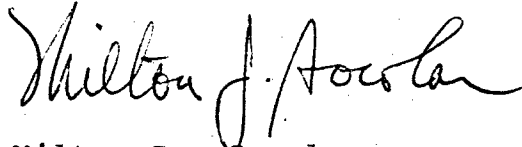
OT&P contends that Eur-Pac is not, and has never been, a distributor of Worthington parts and, therefore, will not be able to deliver the required Worthington rotor assemblies.

Eur-Pac did not take exception to the terms of the solicitation in its bid and is, therefore, bound to deliver the required Worthington rotor assemblies. Whether, in fact, the parts provided meet the requirements is generally a matter of contract administration for resolution by the contracting agency and will not be considered here. Borg-Warner Health Products, Inc., B-187552, July 21, 1977, 77-2 CPD 42; Edward E. Davis Contracting, Inc., B-179719, January 29, 1979, 79-1 CPD 37.

In any event, based on OT&P's protest, DCSC required Eur-Pac to identify its source for the parts. Eur-Pac did identify its source, but asked that it be kept confidential. As additional protection for the Government, the contract was amended to provide for inspection and acceptance at origin.

*[Contract Award Protest]**005864*

Accordingly, the protest is dismissed.

A handwritten signature in cursive script, reading "Milton J. Socolar". The signature is written in dark ink and is positioned above the printed name and title.

Milton J. Socolar
General Counsel